

AMENDED IN ASSEMBLY MAY 23, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2521

Introduced by Assembly Member Hagman

February 21, 2014

An act to amend Section 6027 of the Penal Code, relating to corrections.

LEGISLATIVE COUNSEL’S DIGEST

AB 2521, as amended, Hagman. Corrections: data collection.

Existing law provides that it is the duty of the Board of State and Community Corrections to collect and maintain available information and data about state and community correctional policies, practices, capacities, and needs, as specified. Existing law requires the board to develop definitions of specified key terms in order to facilitate consistency in local data collection, evaluation, and implementation of evidence-based programs. In developing these definitions, existing law requires the board to consult with certain individuals, including, among others, a county supervisor or county administrative officer, a county sheriff, and the Secretary of the Department of Corrections and Rehabilitation.

This bill would, on and after July 1, 2015, require the board, in consultation with the Administrative Office of the Courts, the California State Association of Counties, the California State Sheriffs’ Association, and the Chief Probation Officers of California, to collect and analyze data regarding recidivism rates, as defined, of all persons who ~~have received~~ *receive* sentences for felonies punishable by imprisonment in a county jail, as specified, or who ~~have been~~ *are* placed on postrelease community supervision *on or after July 1, 2015*. The bill would require

the data to include, as it becomes available, recidivism rates for *these* offenders one, 2, and 3 years after their release in the community. The bill would require the board to make any data collected pursuant to this provision available on the board's Internet Web site on a quarterly basis *beginning on September 1, 2016*.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6027 of the Penal Code is amended to
2 read:

3 6027. (a) ~~It shall be the duty of the~~ The Board of State and
4 Community Corrections ~~to~~ shall collect and maintain available
5 information and data about state and community correctional
6 policies, practices, capacities, and needs, including, but not limited
7 to, prevention, intervention, suppression, supervision, and
8 incapacitation, as they relate to both adult corrections, juvenile
9 justice, and gang problems. The board shall seek to collect and
10 make publicly available up-to-date data and information reflecting
11 the impact of state and community correctional, juvenile justice,
12 and gang-related policies and practices enacted in the state, as well
13 as information and data concerning promising and evidence-based
14 practices from other jurisdictions.

15 (b) Consistent with subdivision (c) of Section 6024, the board
16 shall also:

17 (1) Develop recommendations for the improvement of criminal
18 justice and delinquency and gang prevention activity throughout
19 the state.

20 (2) Identify, promote, and provide technical assistance relating
21 to evidence-based programs, practices, and promising and
22 innovative projects consistent with the mission of the board.

23 (3) Develop definitions of key terms, including, but not limited
24 to, "recidivism," "average daily population," "treatment program
25 completion rates," and any other terms deemed relevant in order
26 to facilitate consistency in local data collection, evaluation, and
27 implementation of evidence-based practices, promising
28 evidence-based practices, and evidence-based programs. In
29 developing these definitions, the board shall consult with the
30 following stakeholders and experts:

1 (A) A county supervisor or county administrative officer,
2 selected after conferring with the California State Association of
3 Counties.

4 (B) A county sheriff, selected after conferring with the California
5 State Sheriffs' Association.

6 (C) A chief probation officer, selected after conferring with the
7 Chief Probation Officers of California.

8 (D) A district attorney, selected after conferring with the
9 California District Attorney's Association.

10 (E) A public defender, selected after conferring with the
11 California Public Defenders Association.

12 (F) The Secretary of the Department of Corrections and
13 Rehabilitation.

14 (G) A representative from the Administrative Office of the
15 Courts.

16 (H) A representative from a nonpartisan, nonprofit policy
17 institute with experience and involvement in research and data
18 relating to California's criminal justice system.

19 (I) A representative from a nonprofit agency providing
20 comprehensive reentry services.

21 (4) Receive and disburse federal funds, and perform all
22 necessary and appropriate services in the performance of its duties
23 as established by federal acts.

24 (5) Develop comprehensive, unified, and orderly procedures to
25 ensure that applications for grants are processed fairly, efficiently,
26 and in a manner consistent with the mission of the board.

27 (6) Identify delinquency and gang intervention and prevention
28 grants that have the same or similar program purpose, are allocated
29 to the same entities, serve the same target populations, and have
30 the same desired outcomes for the purpose of consolidating grant
31 funds and programs and moving toward a unified single
32 delinquency intervention and prevention grant application process
33 in adherence with all applicable federal guidelines and mandates.

34 (7) Cooperate with and render technical assistance to the
35 Legislature, state agencies, units of general local government,
36 combinations of those units, or other public or private agencies,
37 organizations, or institutions in matters relating to criminal justice
38 and delinquency prevention.

39 (8) Develop incentives for units of local government to develop
40 comprehensive regional partnerships whereby adjacent jurisdictions

1 pool grant funds in order to deliver services to a broader target
2 population and maximize the impact of state funds at the local
3 level.

4 (9) Conduct evaluation studies of the programs and activities
5 assisted by the federal acts.

6 (10) Identify and evaluate state, local, and federal gang and
7 youth violence suppression, intervention, and prevention programs
8 and strategies, along with funding for those efforts. The board shall
9 assess and make recommendations for the coordination of the
10 state's programs, strategies, and funding that address gang and
11 youth violence in a manner that maximizes the effectiveness and
12 coordination of those programs, strategies, and resources. By
13 January 1, 2014, the board shall develop funding allocation policies
14 to ensure that within three years no less than 70 percent of funding
15 for gang and youth violence suppression, intervention, and
16 prevention programs and strategies is used in programs that utilize
17 promising and proven evidence-based principles and practices.
18 The board shall communicate with local agencies and programs
19 in an effort to promote the best evidence-based principles and
20 practices for addressing gang and youth violence through
21 suppression, intervention, and prevention.

22 (11) The board shall collect from each county the plan submitted
23 pursuant to Section 1230.1 within two months of adoption by the
24 county boards of supervisors. Commencing January 1, 2013, and
25 annually thereafter, the board shall collect and analyze available
26 data regarding the implementation of the local plans and other
27 outcome-based measures, as defined by the board in consultation
28 with the Administrative Office of the Courts, the Chief Probation
29 Officers of California, and the California State Sheriffs'
30 Association. By July 1, 2013, and annually thereafter, the board
31 shall provide to the Governor and the Legislature a report on the
32 implementation of the plans described above.

33 (12) Commencing on and after July 1, 2012, the board, in
34 consultation with the Administrative Office of the Courts, the
35 California State Association of Counties, the California State
36 Sheriffs' Association, and the Chief Probation Officers of
37 California, shall support the development and implementation of
38 first phase baseline and ongoing data collection instruments to
39 reflect the local impact of Chapter 15 of the Statutes of 2011,
40 specifically related to dispositions for felony offenders and

1 postrelease community supervision. The board shall make any
2 data collected pursuant to this paragraph available on the board's
3 Internet Web site. It is the intent of the Legislature that the board
4 promote collaboration and the reduction of duplication of data
5 collection and reporting efforts where possible.

6 (13) Commencing on and after July 1, 2015, the board, in
7 consultation with the Administrative Office of the Courts, the
8 California State Association of Counties, the California State
9 Sheriffs' Association, and the Chief Probation Officers of
10 California, shall collect and analyze data regarding recidivism
11 rates of all persons who ~~have received~~ *receive* a sentence pursuant
12 to paragraph (2) or (5) of subdivision (h) of Section 1170 or who
13 ~~have been~~ *are* placed on postrelease community supervision *on*
14 *or after July 1, 2015*. The data shall include, as it becomes
15 available, recidivism rates for *these* offenders one, two, and three
16 years after their release in the community. The board shall make
17 any data collected pursuant to this paragraph available on the
18 board's Internet Web site on a quarterly basis *beginning on*
19 *September 1, 2016*. As used in this paragraph, the term
20 "recidivism" shall have the same meaning as the definition of the
21 term developed pursuant to paragraph (3).

22 (c) The board may do either of the following:

23 (1) Collect, evaluate, publish, and disseminate statistics and
24 other information on the condition and progress of criminal justice
25 in the state.

26 (2) Perform other functions and duties as required by federal
27 acts, rules, regulations, or guidelines in acting as the administrative
28 office of the state planning agency for distribution of federal grants.

29 (d) Nothing in this chapter shall be construed to include, in the
30 provisions set forth in this section, funds already designated to the
31 Local Revenue Fund 2011 pursuant to Section 30025 of the
32 Government Code.